

### **REMARKS/ARGUMENTS**

Prior to entry of this Amendment, the application included claims 1-20 and 22-51. Claim 22 has been amended. No claims have been canceled or added. Hence, after entry of this Amendment, claims 1-20 and 22-51 stand pending for examination.

Claim 22 has been objected to for depending from canceled claim 21.

Claims 1-20, 22 and 50-51 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject which applicant regards as the invention.

Claims 23-47 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-20 and 22-51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099607 A1 to Sosa et al. ("Sosa") in view of U.S. Patent No. 6,690,779 B2 to Walker et al. ("Walker"), and U.S. Patent No. 7,287,009 B1 to Liebermann ("Liebermann").

#### **Claim Objection**

Claim 22 has been amended to address the claim objection.

#### **Rejections Under 35 U.S.C. § 112**

The Applicants respectfully traverse all 35 U.S.C. § 112 rejections. The Applicants are unable to identify authority for the two assertions made by the Office Action, namely, that the "system should include more than one limitation directed to hardware to carry out the functions," and that the "storage medium should be a tangible medium." Accordingly, without further explanation, the Applicants believe the rejections to be improper.

### **Rejections Under 35 U.S.C. § 101**

The Applicants respectfully traverse the rejections of all claims rejected under 35 U.S.C. § 101. Regarding the rejections of claims 23-29, the Office Action acknowledges that the claim is directed to a convenience card, but states that the card has “no computer hardware to carry out the instructions embedded within the card.” The Applicants are unable to locate authority for this rejection. Moreover, the wording of the rejection indicates a misreading of the claim because the wording appears to suggest that the claimed convenience card has embedded instructions.

Regarding the rejections of claims 30-47, the Applicants previously cited *In re Bilski*, wherein the Court noted that “the electronic transformation of the data itself into a visual depiction in *Abele* was sufficient.” The Office Action did not address this argument and provides no authority to contradict it. Accordingly, all pending 35 U.S.C. § 101 rejections are believed to be improper.

### **Rejections Under 35 U.S.C. § 103**

The Applicants respectfully traverse and request reconsideration of the pending rejections under 35 U.S.C. § 103. The record cites Lieberman and Sosa for teaching “return to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction” as recited in claim 1. Sosa appears to teach a user being able to select an automatic population option for filling in charge information into an online purchasing system ([0062]). Liebermann appears to teach a database that allows for recall of historical transaction information. But the references fall short of teaching “stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction.” The pending Office Action discusses Sosa’s teaching of a user being able to select an automatic population option for filling in charge information, and asserts that Liebermann teaches the remaining aspects of the

claim element. The Applicants are unable to locate this teaching. Accordingly, the Applicants believe the rejection is premised on Liebermann teaching aspects of the claim element that Liebermann does not teach, and claim 1 is believed to be allowable, at least for this reason.

All pending independent claims include an element similar to the one discussed above with respect to claim 1 and are believed to be allowable, at least for the foregoing reasons. The remaining claims depend from one of the independent claims discussed above and are believed to be allowable, at least by virtue of that dependency.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Irvin E. Branch/  
Irvin E. Branch  
Reg. No. 42,358

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
G2B:s5s  
61744038 v1